IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

ANN DARLENE WELLS, as Representative of the Estate of Donald L. Wells, Deceased,	)	
Plaintiff,	)	No. 09 C 1198
vs.	)	Judge Kennelly
CITY OF CHICAGO, et al.,	)	
Defendants.	)	

AGREED PROTECTIVE ORDER
UNDER FED. R. EVID. 502(d)

This matter coming on to be heard on the agreed motion for protective order under Fed. R. Evid. 502(d) filed on behalf of subpoena respondent John A. Krivicich ("Krivicich"), the parties being in agreement as reflected by the signatures of their counsel below, due notice having been provided, and the Court being fully advised in the premises;

IT IS HEREBY ORDERED THAT the motion be, and the same hereby is, granted. The testimony of John A. Krivicich given in response to subpoena shall not operate as or constitute a waiver of any governing privilege, including the attorney-client privilege and/or the protection afforded by the attorney work product doctrine, in connection with this or any other Federal or State proceeding.

IT IS FURTHER ORDERED THAT, until further order of this Court to the contrary entered after notice to counsel Krivicich: the testimony of John A. Krivicich shall be treated as confidential and shall not be disclosed to anyone other than counsel for the parties to this litigation, the former client of John A. Krivicich (Whiteline Express, Ltd.) and its counsel, the court reporter hired to transcribe the deposition, and this Court and its staff; in the event any party wishes to file a motion to compel challenging the assertion of privilege or protection in connection with the testimony of John A. Krivicich (the "privilege motion"), counsel for Krivicich shall be provided with notice, and such privilege motion and all papers related to said motion shall, to the extent such motion or papers disclose or characterize the substance of the testimony, be filed under seal.

ENTERED:

Date: 2-23-10

Matthew F. Kennelly
United States District Judge